

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION**

R. JEFFREY EVANS,

Plaintiff,

v.

**SUN LIFE & HEALTH
INSURANCE COMPANY,**

Defendant.

CASE NO. SACV 11-01516-CJC(FFMx)

JUDGMENT

The trial in the above-entitled action was held before the Court on November 27, 2012. On the same date, the Court issued its Memorandum of Decision, finding that Defendant abused its discretion in denying Plaintiff benefits under the subject ERISA plan. Having considered Plaintiff's proposed judgment and Defendant's objections, the Court issues its Judgment as follows:

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1. Plaintiff is entitled to long-term disability benefits under the subject ERISA plan from June 1, 2008 to the end of the plan's 24-month limitation on benefits payable for a disability due to mental illness. In this instance, the 24-month limitation was reached on June 1, 2010.

2. The disability benefits are offset by the California Employment Development Department benefits Plaintiff received from June 1, 2008 through December 2, 2008.

3. Any claim for pre-judgment interest, costs, and/or attorneys' fees shall be presented to the Court by way of the appropriate application or motion, filed or otherwise submitted in accordance with the Local Rules of the Central District of California or other applicable authority.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED that Plaintiff shall recover from Defendant the sum of \$217,068.00, representing long-term disability benefits under the subject ERISA plan from June 1, 2008 to June 1, 2010.

IT IS SO ORDERED.

DATED: January 2, 2013

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CORMAC J. CARNEY
UNITED STATES DISTRICT JUDGE